

## SHEFFIELD CITY COUNCIL

### INDIVIDUAL CABINET MEMBER DECISION RECORD

The following decision was taken on 9<sup>th</sup> March 2020 by the Cabinet Member for Transport and Development.

Date notified to all members: 10<sup>th</sup> March 2020

The end of the call-in period is 4:00 pm on Monday 16<sup>th</sup> March 2020

Unless called-in, the decision can be implemented from Tuesday 17<sup>th</sup> March 2020

#### 1. **TITLE**

Persistent Evader and Parking Removals Policy

#### 2. **DECISION TAKEN**

- Approval is given for Sheffield City Council's parking enforcement team to execute enforcement action against persistent evaders as suggested by the Department for Transport within its statutory guidance.
- Sheffield City Council adopts the policy to remove vehicles which are parked in contravention of restrictions where a PCN may be issued if the vehicle is also parked in a manner that is obstructive or dangerous to other road users. The purpose of this is to discourage dangerous parking and remove hazards.

#### 3. **Reasons For Decision**

The removal of vehicles which are persistently parked in contravention of restrictions will act as a deterrent to motorists. The British Parking Association (BPA) estimated persistent evaders cost local authorities more than £500 million a year<sup>1</sup>. The BPA report also found that many such vehicles did not have MOTs, were not taxed or insured and in some cases were of interest to the police for other reasons.

Drivers wanting to collect a vehicle from the pound are required to provide proof showing they are the keeper of the vehicle and of their current address. Although under current legislation we cannot make the keeper pay other outstanding PCNs at the time of collection, this information can be used to pursue other unpaid PCNs relating to the same vehicle. The motorist would then still have options to pay or appeal the cases. For example there are hundreds of vehicles on Sheffield's streets which are classed as persistent evaders. Eight of the most serious offenders currently average 78 unpaid PCNs each.

Warrants on unpaid PCNs expire after 12 months. In cases where the keeper cannot be traced due to keeper information not being up to date these are written off. In these instances as well as the debt being written off, Parking Services incur

costs such as obtaining outdated DVLA information, printing and posting statutory documents and registering the debt. The council's in house enforcement agent team also use resources pursuing such cases. There are also limitations of vehicles that can be seized when a warrant is pursued. For instance a vehicle that is under a finance agreement still with the company it is being purchased from, or is needed for the owner's trade (subject to its value).

One of the purposes of parking enforcement is to educate drivers. If a driver does not understand road signs and why they cannot park at certain locations, the appeals process helps provide an explanation of why the PCN was issued. It is intended that this helps drivers understand the rules better to avoid repeat incidents.

Removal of persistent evaders should reduce the occurrence of vehicles being left where parking is not permitted, such as on yellow lines, at locations where vehicles may cause obstruction, negatively impact on traffic flow and / or being a hazard to other road users.

Parking pressure is high in many areas. In other instances the removal of persistent evaders should free up bays which other drivers could legitimately park in, for example resident permit holders, or people who would buy a ticket from an on-street machine / use cashless payment.

A vehicle left correctly parked in a city centre pay and display bay over the period of a month could be required to pay £650. Such vehicles also prevent other visitors to the city centre from utilising spaces to visit local businesses and facilities.

The removal of vehicles that are parked causing a problem for other traffic passing, or in a hazardous manner for other road users, would improve traffic flow and road safety.

An awareness of the risk that vehicles belonging to persistent evaders' and / or parked in contravention of serious priority restrictions may be removed could act as a deterrent to such parking practices.

#### **4. Alternatives Considered And Rejected**

To continue to issue PCNs to persistent evaders rather than to also approve removal of their vehicles. However, this will result in such drivers continuing to use loopholes in the DVLA vehicle registration system to avoid payment of charges and the resulting negative impact on other road users. Not removing persistent evaders creates an unfair position between motorists who do correctly register their vehicles and pay relevant parking fees (and PCNs if they do incur these) and those motorists who evade enforcement.

To continue to only issue PCNs to vehicles parked in contravention of higher level PCN contraventions at locations where they are obstructing or endangering other road users. However, another PCN cannot then be issued for 24 hours and the vehicle would then remain in a position where it is causing issues for other road users.

5. **Any Interest Declared or Dispensation Granted**

None

6. **Respective Director Responsible for Implementation**

Executive Director, Place

7. **Relevant Scrutiny Committee If Decision Called In**

Economic and Environmental Wellbeing Scrutiny Committee

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